

"An Act prohibiting the hunting, taking or shooting of any wild deer in Coryell or Hamilton Counties for five (5) years, and fixing a penalty.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

MOORE, Chairman.

Committee Room,
Austin, Texas, April 9, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 278, A bill to be entitled "An Act providing for an open season of four (4) days on prairie chicken except in certain counties etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

Committee Room,
Austin, Texas, April 9, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. C. R. No. 50.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

MOORE, Chairman.

FIFTY-EIGHTH DAY.

Senate Chamber,
Austin, Texas,
April 13, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Gainer.
Berkeley.	Greer.
Cousins.	Hardin.
Cunningham.	Holbrook.
DeBerry.	Hopkins.

Hornsby.
Loy.
Martin.
Moore.
Neal.
Oneal.
Parr.
Parrish.
Poage.
Pollard.

Purl.
Rawlings.
Russek.
Small.
Stevenson.
Thomason.
Williamson.
Woodruff.
Woodul.

Absent—Excused.

Patton.

Woodward.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Williamson.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

Senator Cunningham moved that the constitutional rule relating to the introduction of General Bills during the last 90 days of the session be suspended and consent granted to introduce a bill repealing the law concerning ownership of stock in domestic corporations by foreign corporations. The motion was lost by the following vote:

Yeas—23.

Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Poage.
Greer.	Pollard.
Hardni.	Purl.
Holbrook.	Russek.
Hornsby.	Small.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Neal.	Woodruff.
Oneal.	

Nays—1.

Woodul.

Absent.

Beck.	Gainer.
Cousins.	Rawlings.

Absent—Excused.

Hopkins.	Woodward.
Patton.	

(25 votes required.)

By an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the introduction of General Bills during the last 90 days of the session was suspended and consent was granted to introduce the following bill:

By Senator Purl:

S. B. No. 593, A bill to be entitled "An Act to amend Article 2930 of the Revised Civil Statutes of 1925; and declaring an emergency."

Read and referred to the Committee on Privileges and Elections.

Consent was refused Senator Cunningham to introduce the following bill:

By Senator Cunningham:

S. B. No. —, A bill to be entitled "An Act repealing Chapter 185, Page 455, Acts of the Regular Session of the 39th Legislature; and declaring an emergency."

by the following vote:

Yeas—20.

Beck.	Neal.
Berkeley.	Oneal.
Cunningham.	Parr.
DeBerry.	Parrish.
Greer.	Poage.
Hardin.	Pollard.
Hornsby.	Purl.
Loy.	Small.
Martin.	Thomason.
Moore.	Woodruff.

Nays—6.

Cousins.	Russek.
Holbrook.	Stevenson.
Hopkins.	Woodul.

Absent.

Gainer.	Williamson.
Rawlings.	

Absent—Excused.

Patton.	Woodward.
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(25 votes required.)

Senators Excused.

On motion of Senator Hornsby, Senators Woodward and Rawlings were excused for the day on account of important and urgent business.

On motion of Senator Pollard, Sen-

ator Patton was excused for the day on account of important business.

Messages from the House.

Hall of the House of Representatives, Austin, Texas, April 13, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed on the following bills:

H. B. No. 31, A bill to be entitled "An Act amending Section 17, subdivision 3, of Article 7065n, House bill No. 6, Chapter 88, Second Called Session of Forty-first Legislature, providing for the application for refund when claimant purchases or acquires for use gasoline upon which a refund may be due, and declaring an emergency."

(With engrossed rider.)

H. B. No. 36, A bill to be entitled "An Act validating the extension of the corporate limits of cities of more than 50,000 inhabitants according to the last United States census where such extension is made under the provision of any home rule charter or ordinance since the enactment of Chapter 110, General Laws of the Forty-first Legislature of the State of Texas of 1929, etc., and declaring an emergency."

H. B. No. 39, A bill to be entitled "An Act to amend Chapter 29, Acts of the First Called Session of the Forty-first Legislature, relating to the selection of jurors in certain counties; providing for the appointment of jury commissioners to select jurors; providing the qualifications of said commissioners, etc., and declaring an emergency."

(With engrossed rider.)

H. B. No. 770, A bill to be entitled "An Act amending Article 7065, Revised Statutes of Texas, 1925, as amended by Chapter 88, Section 17, Acts of the Second Called Session, Forty-first Legislature, and declaring an emergency."

H. B. No. 24, A bill to be entitled "An Act to amend Article 701 of Chapter 1, Title 22, of the Revised Civil Statutes of the State of Texas of 1925, to provide that only property taxpaying voters, who pay a property tax, can vote in bond elections; providing that at least two-thirds of those voting in a bond elec-

tion must approve the issuance of bonds; repealing all laws in conflict with this act, and declaring an emergency."

(With engrossed rider.)

Respectfully Submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 13, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a Conference Committee to consider the differences between the two Houses on Senate Bill No. 283. The following are conferees on the part of the House:

Stevenson, Pope, Holder, Metcalfe, and McGill.

Respectfully Submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 13, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 98, A bill to be entitled "An Act to amend Article 2806, Revised Civil Statutes, 1925, and declaring an emergency."

H. B. No. 625, A bill to be entitled "An Act defining trappers; requiring a license, and declaring an emergency."

H. B. No. 849, A bill to be entitled "An Act changing certain fees charged by the constables to make them correspond to the fees charged by the sheriffs; providing for things necessary and incidental, and declaring an emergency."

H. B. No. 850, A bill to be entitled "An Act permitting and authorizing constables in each justice precinct named and described to appoint deputy constables subject to the approval and confirmation of the commissioners court and providing that the constables desiring to have a deputy or deputies appointed shall submit written application to the commissioners court showing the necessity for having such deputy or deputies ap-

pointed to handle the business originating in the precinct in which the constable was elected, etc., and declaring an emergency."

Respectfully Submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 13, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. C. R. No. 43, Relative to setting aside certain lands for a State Park.

S. C. R. No. 31, Recalling S. B. No. 371 from the Governor's office for correction.

Respectfully Submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Simple Resolution No. 104.

Senator Russek sent up the following resolution:

Whereas, the sales price of cement has recently been reduced in many of the States of the Union from forty to sixty cents per barrel; and

Whereas, it appears that such reduction is warranted by low market prices of other commodities throughout the country; and

Whereas, the reduction of prices in cement in Texas has been very slowly in proportion to the reduction made in other States and no conditions are apparent in Texas which would warrant cement manufacturers in this State in failing or refusing to make the same proportioned reduction in prices as made by the manufacturers of other States; and

Whereas, the failure of the manufacturers of cement in Texas to reduce prices in order to meet competition of manufacturers in other States and foreign countries has not been satisfactorily explained; and

Whereas, it has often been charged that the cement manufacturers of this State sustain prices, by agreement, in violation of the anti-trust statutes of this State;

Now, Therefore, Be It Resolved by the Senate of the State of Texas, that the Lieutenant Governor appoint three members of the Senate as a Committee with authority to call upon the Attorney General for as-

sistance to thoroughly investigate all of the books, records and other evidence of the cement manufacturers of Texas for the purpose of ascertaining whether there has been any violation of the anti-trust laws of this State by said companies; and, for the further purpose of ascertaining whether prices of cement in this State are such as to warrant the Highway Department and other public authorities, as well as private citizens, to purchase cement manufactured in other States and foreign countries; and, also, for the purpose of ascertaining whether the Highway Department or the Prison System should be authorized to engage in the manufacture of cement for State uses.

Said Committee shall report its findings to the 42nd Legislature and to the Governor of Texas. All expenses of said investigation shall be paid out of the contingent expense fund of the Senate. Said committee in conducting its said investigation shall have full authority to subpoena and compel the attendance of witnesses and to investigate the books, papers, records and documents of all parties concerned.

By Senators Russek, Martin, Thomason Parr, Greer, Cunningham, Pollard, Hardin, Stevenson, Moore, and Woodruff.

Read and, on motion of Senator Russek, referred to the Committee on Criminal Jurisprudence.

S. C. R. No. 30.

Senator Martin sent up the following resolution:

A RESOLUTION—designed to encourage the use of more cotton and cotton goods in our State Intstitutions.

Whereas, cotton is a great agricultural product of Texas, and

Whereas, agriculture of Texas has been greatly depressed because of inadequate prices being paid for farm products, particularly for cotton, and

Whereas, we deem it the duty of every Texan and the people of the cotton growing states to facilitate and encourage the use of more cotton,

Therefore Be It Resolved, by the Senate, the House of Representatives concurring, that we urge the Govern-

nor of Texas, Hon. Ross Sterling, and the Board of Control, to hereafter specify in letting contracts for binding twains, bags, sacks and other containers, that the same be limited to cotton products and to sacks and twine made from cotton and, wherever feasible, that the stationery be likewise of cotton paper,

Be It Further Resolved, that the Board of Prison Commissioners of the State of Texas be and are hereby memorialized to wrap the cotton crop of 1931 and thereafter in cotton bagging instead of jute or other material.

MARTIN,
LOY,
HOPKINS.

Senator Holbrook moved to refer the resolution to the Committee on Agricultural Affairs.

Senator Mortin moved to table the motion. The motion prevailed.

The resolution was adopted.

S. C. R. No. 31.

Senator Berkeley sent up the following resolution:

Whereas, S. B. No. 371 has been passed by the Senate and the House of Representatives and sent to the Governor; and

Whereas, it is the opinion of many members of both Houses that the caption may be defective and should be cured by making it conform to the body of the act;

Now, Therefore, Be It Resolved by the Senate of the State of Texas, the House of Representatives Concurring:

That S. B. No. 371 be returned by the Governor for the purpose of so amending, and that the Lieutenant-Governor and Speaker of the House of Representatives be authorized to erase their names from the bill, and that said bill may be re-considered by both Houses for the purpose of making said change.

BERKELEY.

Read and adopted.

Bills Signed.

The Chair, Lieut. Gov. Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 54. H. B. No. 610.
H. B. No. 820. H. B. No. 463.
H. B. No. 725. H. B. No. 59.
H. B. No. 683.

Motion to Set Special Order.

Senator Thomason moved to set S. B. No. 127 as special order next Monday morning immediately following the morning call.

Senator Hornsby moved as a substitute that the bill be re-referred to the Committee on Finance.

Senator Thomason moved to table the motion. The motion to table prevailed by the following vote:

Yeas—14.

Beck.	Martin.
Cousins.	Neal.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Thomason.
Holbrook.	Woodruff.
Loy.	Woodul.

Nays—13.

Cunningham.	Parrish.
DeBerry.	Poage.
Hopkins.	Purl.
Hornsby.	Small.
Moore.	Stevenson.
Oneal.	Williamson.
Parr.	

Absent.

Berkeley.	Rawlings.
Patton.	

Absent—Excused.

Woodward.

The motion to set as special order was lost by the following vote:

Yeas—16.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Oneal.
Gainer.	Parr.
Greer.	Pollard.
Hardin.	Russek.
Loy.	Thomason.
Martin.	Woodul.

Nays—12.

Cunningham.	Poage.
DeBerry.	Purl.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Williamson.
Parrish.	Woodruff.

Absent.

Rawlings.

Absent—Excused.

Patton.

Woodward.

(Two-thirds vote required.)

Senator Moore received unanimous consent to have set as special order next Monday morning immediately following the morning call S. B. No. 279 and 280.

Senator Cousins moved to set S. B. No. 206 as special order next Monday morning immediately following the two special orders already set. The motion was lost by the following vote:

Yeas—14.

Beck.	Parr.
Berkeley.	Pollard.
Cousins.	Purl.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Woodul.

Nays—11.

Cunningham.	Oneal.
DeBerry.	Parrish.
Greer.	Poage.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	

Present—Not Voting.

Neal.

Absent.

Hopkins.	Stevenson.
Rawlings.	

Absent—Excused.

Patton.

Woodward.

Senate Bill No. 180.

The Chair laid before the Senate as special order the following bill:

By Senator Cousins:

S. B. No. 180, A bill to be entitled "An Act to amend Chapter 314, general laws of the State of Texas, Forty-first Legislature, Regular Session, as amended at the Second Called Session thereof so as to further regulate motor carriers transporting property over the public highways."

On motion of Senator Cousins, the bill was laid on the table subject to call.

Senate Bill No. 428.

Senator Moore called up from the table the following bill:

By Senator Moore:

S. B. No. 428, A bill to be entitled "An Act to amend Section 1 of Chapter 105, Acts of the First Called Session of the Forty-first Legislature, and declaring an emergency."

Senator Moore sent up the following amendments:

Amend S. B. No. 428, page 1 line 24 by inserting between the words "and" and "such" the word "any."

MOORE.

Read and adopted.

Amend S. B. No. 428, page 2, line 1, by adding between the words "asked" and "but," the following: "by counsel for the party calling such witness."

MOORE.

Read and adopted.

Amend S. B. No. 428, page 1, line 23, by striking out the word "cuse" and insert in lieu thereof the word "case."

MOORE.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 428 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Neal.
Berkeley.	Oneal.
Cousins.	Parr.
Cunningham.	Parrish.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.

Absent—Excused.

Patton.	Woodward.
Rawlings.	

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Neal.
Berkeley.	Oneal.
Cousins.	Parr.
Cunningham.	Parrish.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.

Nays—4.

Holbrook.	Purl.
Hopkins.	Woodul.

Absent—Excused.

Patton.	Woodward.
Rawlings.	

Senate Bill No. 263.

Senator Greer called up from the table the following bill:

By Senators Greer, et al:

S. B. No. 263, A bill to be entitled "An Act appropriating \$3,000,000.00 per year or so much thereof as may be necessary for the next two fiscal years for the purpose of promoting the public school interest or rural school opportunities afforded by the State to all children of scholastic age living in small and financially weak districts; etc., and declaring an emergency."

Senator Martin withdrew the pending amendment.

Senator Moore sent up his substitute for the amendment as an original amendment.

Recess.

On motion of Senator Moore, the Senate, at 12:05 o'clock p. m., recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Senate Bill No. 263.

The question recurred upon the amendment by Senator Moore to S. B. No. 263. The amendment was adopted by the following vote:

Yeas—16.

DeBerry.	Parr.
Gainer.	Poage.
Hardin.	Purl.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Williamson.
Moore.	Woodruff.

Nays—10.

Berkeley.	Oneal.
Cousins.	Parrish.
Cunningham.	Pollard.
Greer.	Thomason.
Neal.	Woodul.

Absent.

Beck.	Martin.
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Absent—Excused.

Patton.	Woodward.
Rawlings.	

Senator Purl sent up the following amendment:

Amend S. B. No. 263, page 2, lines 38-41, printed bill, inclusive, by striking out all the words "may" in line 38 to the word "granted" in line 41, inclusive, and inserting in lieu thereof the following:

"Shall receive from the appropriation herein provided \$18,000.00 for each year of the biennium to supplement the equalization fund thereof for all purposes."

PURL.

Read and adopted.

Senator Holbrook sent up the following amendment:

Amend S. B. No. 263 by adding at the end of Section 19, page 5, of the printed bill, the following:

Provided that all aid granted under the provisions of this act shall be appropriated equally among all scholastics in this State to the end that each such scholastic in the State shall receive the same amount; and share alike in the distribution of this State aid fund.

HOLBROOK,
PURL.

The amendment was read.

Senator Greer raised the point of order that this amendment was not germane to the Rural Aid Bill because it was in the form of an increased per capita apportionment

and not an equalization measure which the Rural Aid appropriation was intended to be.

The Chair, Lieutenant Governor Edgar E. Witt, sustained the point of order.

Senator Moore sent up the following amendment:

Amend S. B. No. 263, by striking out Sec. 15, and renumbering the following sections accordingly.

MOORE.

The amendment was read, and adopted.

Senator Stevenson sent up the following amendment:

Amend S. B. No. 263, by adding to Section 3 the following:

"This section shall not apply to schools in a common or independent school district maintaining an annual term of school of not less than seven months."

STEVENSON,

The amendment was read.

Senator Greer moved to table the amendment. The motion prevailed by the following vote:

Yeas—19.

Beck.	Oneal.
Berkeley.	Parr.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Small.
Hornsby.	Thomason.
Loy.	Woodruff.
Moore.	Woodul.
Neal.	

Nays—3.

Holbrook.	Williamson.
Stevenson.	

Absent.

Cousins.	Martin.
Hardin.	Parrish.
Hopkins.	Russek.

Absent—Excused.

Patton.	Woodward.
Rawlings.	

Senator Poage moved to reconsider the vote by which the amendment by Senator Moore relating to section 17 was adopted.

Senator Moore moved to table the motion to reconsider. The motion to table prevailed by the following vote:

Yeas—14.

Beck.	Moore.
Gainer.	Parr.
Hardin.	Purl.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Williamson.

Nays—11.

Berkeley.	Poage.
Cunningham.	Pollard.
DeBerry.	Thomason.
Greer.	Woodruff.
Neal.	Woodul.
Parrish.	

Present—Not Voting.

Martin.

Absent.

Cousins. Oneal.

Absent—Excused.

Patton. Woodward.
Rawlings.

On motion of Senator Moore, the previous question was ordered on the engrossment of the bill.

The bill was passed to engrossment by the following vote:

Yeas—23.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Small.
Hardin.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Moore.	Woodul.
Neal.	

Nays—5.

Holbrook.	Russek.
Hopkins.	Stevenson.
Martin.	

Absent—Excused.

Patton. Woodward.
Rawlings.

On motion of Senator Greer the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 263 was put on its third reading and final passage, by the following vote:

Yeas—26.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Russek.
Hardin.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.

Nays—2.

Holbrook. Martin.

Absent—Excused.

Patton. Woodward.
Rawlings.

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Russek.
Hardin.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.

Nays—4.

Holbrook. Martin.
Hopkins. Stevenson.

Absent—Excused.

Patton. Woodward.
Rawlings.

Reason for Vote.

I voted against S. B. No. 263 for the reason that in my judgment it is unconstitutional. The distribution of funds under its terms are not made according to scholastic population.

HOLBROOK.

Reason for Vote.

This measure, in my judgment, is violative of the letters and spirit of the Constitution of Texas, allows in

its administration an unjust, unfair and highly discriminatory distribution of the funds of the people to a few favored counties. To such legislation I cannot and will not lend my support.

HOPKINS.

House Bills Referred.

H. B. No. 770 referred to Committee on State Affairs.

H. B. No. 39, referred to Committee on Civil Jurisprudence.

H. B. No. 24, referred to Committee on Privileges and Elections.

H. B. No. 31, referred to Committee on State Affairs.

H. B. No. 36, referred to Committee on Civil Jurisprudence.

H. B. No. 625, referred to Committee on State Affairs.

H. B. No. 98, referred to Committee on Educational Affairs.

H. C. R. No. 43, referred to Committee on Public Buildings and Grounds.

H. B. No. 849, referred to Committee on State Affairs.

H. B. No. 850, referred to Committee on State Affairs.

Executive Session Set.

On motion of Senator Pollard, the Senate voted to go into executive session Tuesday morning at 11:55 o'clock a. m.

Senate Bill No. 586.

The Chair laid before the Senate by unanimous consent the following bill:

By Senator Woodruff, by request: S. B. No. 586, A bill to be entitled "An Act: (1) To amend Section 14 of Chapter of the Acts of the Forty-first Legislature of Texas Regular Session, and clarifying the intent of said Section 14 as the same would relate to Section 132 of Chapter 25 of the Acts of the Thirty-ninth Legislature, Regular Session etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Woodruff the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 586 was put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Nays—1.

Greer.

Absent—Excused.

Patton.

Woodward.

Rawlings.

Read third time and finally passed by the following vote:

Yeas—21.

Beck.	Parrish.
Berkeley.	Poage.
Cousins.	Pollard.
Cunningham.	Russek.
Hardin.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Martin.	Williamson.
Neal.	Woodruff.
Oneal.	Woodul.
Parr.	

Nays—5.

DeBerry.

Moore.

Greer.

Purl.

Loy.

Present—Not Voting.

Holbrook.

Absent.

Gainer.

Absent—Excused.

Patton.

Woodward.

Rawlings.

Senate Bill No. 317.

The Chair laid before the Senate as special order the following bill:

By Senator Woodul:

S. B. No. 317, A bill to be entitled "An Act to further regulate the business of insurance in order that rates

of premium may be reasonable, and to provide the maximum rates of commission or other compensation, or other thing of value, which may be paid directly or indirectly, to its local agents by insurance carriers in this State as applied to motor vehicle insurance of various classes, insurance against losses from tornado, and other elements, and insurance of other classes of risks which may be legally undertaken by fire insurance companies; prescribing that no such carrier for automobile lines or tornado lines of such business may pay to its said agents exceeding 25% or one-fourth of the premium, nor pay to such agents for fire insurance business exceeding 20% or one-fifth of the normal premium; nor pay to such agents for other lines which may be lawfully undertaken by fire insurance companies exceeding 20% or one-fifth of the premium; defining normal premium; defining local agents; providing that no such agent may accept or receive any commission or other compensation or other thing of value on such business in excess of the maximum rates herein fixed; providing penalties for violation hereof; providing for a hearing before the Board of Insurance Commissioners and for appeals therefrom; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read second time.

Senator Woodul sent up the following amendment:

Amendment No. 1.

To amend Senate Bill No. 317 by striking out all after the enacting clause and substituting in lieu thereof the following, so as to make said bill in said portion read:

Section 1. For the purposes of this Act, by the term local recording agent is meant a person or firm engaged in soliciting and writing insurance, being authorized by an insurance company or insurance carrier to solicit business and to write, sign, execute and deliver policies of insurance and to bind companies on insurance risks, and who maintain an office and record of such business and the transactions which are involved, who collects premiums on such business and otherwise performs the customary duties of a local recording agent representing an insur-

ance carrier, in its relations with the public.

Sec. 2. For the purpose of this Act, by the term solicitor is meant a person officing with and engaged in soliciting insurance on behalf of a local recording agent, who does not sign and execute policies of insurance and who does not maintain company records of such transactions. This shall not be construed to make a solicitor of a local recording agent who places business of a class which the rules of the company or carrier require to be placed on application or to be written in a supervisory office.

Sec. 3. In order that rates of premiums for insurance shall be reasonable the Board of Insurance Commissioners is hereby authorized and empowered, after public hearing held following a notice of such hearing given by publishing a copy of such notice in a daily newspaper of Austin, Texas, at least ten days prior to such hearing, to determine and prescribe reasonable maximum rates of commission or other compensation or other things of value which may be paid, directly or indirectly, by an insurance company or carrier in this State granting insurance against losses from hazards arising from the ownership and/or operation of any motor vehicle and/or for insurance against tornado, windstorm, or other elements, fire and/or insurance of other classes of risks which may be legally undertaken by fire insurance companies, to local recording agents for services in connection with the business of such agents.

Sec. 4. In order that the rates of premium for insurance shall be reasonable, the Board of Insurance Commissioners is hereby authorized and empowered, after notice and hearing as provided herein, to determine and prescribe reasonable maximum rates of commission or other compensation or other thing of value which may be paid, directly or indirectly, to any solicitor in connection with insurance against losses from hazards arising from the ownership and/or operation of any motor vehicle and/or for insurance against tornado, windstorm, or other elements, fire and/or insurance of other classes of risk which may be legally undertaken by fire insurance companies.

Sec. 5. The Board of Insurance Commissioners is hereby authorized and empowered to establish such rules and regulations as they may deem necessary to carry out the purposes of this Act and to prevent any direct or indirect evasion of the provisions of this Act and shall, after notice and hearing as herein provided, within ninety days after this Act takes effect, by its order duly made and entered of record, determine and prescribe and fix such reasonable maximum rates of commissions or other compensation or other thing of value in compliance with this Act.

Sec. 6. That the Board of Insurance Commissioners in prescribing the maximum commissions or other thing of value which may be paid to local recording agents and/or to solicitors shall not be guilty of any discriminations against any company or any such local recording agent and or solicitor, and the maximum commission prescribed shall be uniform for the class of risk to which it applies, applicable throughout the State of Texas, and shall remain in force until the Board of Insurance Commissioners shall, after notice and hearing as herein provided, prescribe another or different reasonable maximum commission or other compensation or other thing of value. Nothing herein shall prevent the Board of Insurance Commissioners from prescribing a different reasonable maximum commission or other thing of value for some classes of risks from that prescribed for other classes of risks, provided, the maximum commissions, or other Board in fixing, or in refixing such compensation, may take into consideration the good fire record credit or the bad fire record penalty of any city or town, to encourage elimination of fire waste.

Sec. 7. The Board of Insurance Commissioners in fixing such commission or other compensation or other thing of value to be paid, or in refixing the same, shall make their order effective at some time in the future not to be sooner than sixty (60) days after the date of the said Order nor longer than four (4) months after the date of the said Order.

Sec. 8. It shall be unlawful to pay any local recording agent, or any solicitor in this State, directly or

indirectly, as a commission or other compensation or other thing of value on the insurance business described by this Act, any greater commission or other compensation or other thing of value than that prescribed by the Board under the authority of this Act.

Sec. 9. It shall be unlawful for any local recording agent or solicitor in this State on any of the insurance business described by this Act to receive or collect, directly or indirectly, any greater commission or other compensation or other thing of value than that fixed by the Board of Insurance Commissioners in its order under the authority of this Act.

Sec. 10. Any insurance carrier who shall violate any of the provisions of this Act or any order of the Board of Insurance Commissioners made under authority of this Act shall be subject to a revocation by the Board of Insurance Commissioners of its permit or license to do business in this State, after a hearing before the said Board, after reasonable notice of not less than ten (10) days nor more than twenty (20) days of such hearing, and on such revocation no new license or permit shall be issued to it within a period of twelve (12) months following such revocation.

Sec. 11. Any local recording agent or solicitor who shall violate any of the provisions of this Act or any order of the Board of Insurance Commissioners made under the authority of this Act shall be subject to a revocation by the Board of Insurance Commissioners of his license to do business in this State after a hearing before the said Board after reasonable notice of not less than ten (10) days nor more than twenty (20) days of such hearing, and on such revocation no new license shall be issued to him within a period of twelve (12) months following such revocation.

Sec. 12. In the event the Board of Insurance Commissioners at any such hearing as above provided for shall order the revocation of the license or permit there involved, the company, carrier, local recording agent or solicitor affected shall have the right within thirty (30) days following such action to institute a suit against the Board in a court of competent jurisdiction of Travis

County, Texas, to set aside such revocation.

Sec. 13. If any clause or provision of this Act shall be held unconstitutional, the other clauses and provisions hereof shall, nevertheless, be and remain in full force and effect.

Sec. 14. All laws and parts of laws in conflict with this Act are hereby repealed.

Sec. 15. The fact that there is no law in this State regulating reasonable maximum commission or compensation which may be paid to local recording agents and solicitors, and such regulation is necessary to the establishment of reasonable rates of premiums in this State and existing conditions affect adversely the public interest, create an emergency and imperative public necessity for the suspension of the constitutional rule requiring bills to be read on three several days in each house of the Legislature, and the further rule as to when laws shall take effect, and said rules and each of them are hereby suspended and this Act shall take effect from and after its passage, and it is so enacted.

WOODUL.

The amendment was read in part.

Senator Pollard moved to dispense with the further reading of the amendment and that the amendment be printed in the Journal, further consideration of the bill being postponed until the printed Journals were returned to the Senate.

Senator Loy moved as a substitute that the bill and the amendment be recommitted to the Committee on Insurance.

Message from the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor with the following message:

Executive Office,
Austin, Texas, April 13, 1931.
Hon. Edgar E. Witt, President of the Senate.

Subject to your confirmation I have appointed the following named persons as members of the State Board of Medical Examiners:

For the six year term:

Dr. N. D. Bui of Marlin;
Dr. T. J. Crowe of Dallas;
Dr. Joe Becton of Greenville;
Dr. Roy Russell of Forth Worth.

For the four year term:

Dr. I. A. Withers of Fort Worth;
Dr. Marvin Bailey of Houston;
Dr. H. W. Cummings of Hearne;
Dr. H. H. Blankmeyer of Aransas

pass.

For the two year term:

Dr. H. D. Connally of Waco;
Dr. H. C. Morrow of Austin;
Dr. M. E. Daniels of Honey

Grove;

Dr. J. M. Witt of Waco.

Respectfully submitted,

R. S. STERLING, Governor.

Read and referred to the Committee on Governor's Nominations.

Motion to Recess.

Senator Hornsby moved to recess until 10 o'clock tomorrow morning. The motion was lost by the following vote:

Yeas—10.

Berkeley.	Hornsby.
Cousins.	Neal.
Greer.	Oneal.
Hardin.	Stevenson.
Holbrook.	Thomason.

Nays—15:

DeBerry.	Pollard.
Gainer.	Purl.
Loy.	Russek.
Martin.	Small.
Moore.	Williamson.
Parr.	Woodruff.
Parrish.	Woodul.
Poage.	

Absent.

Beck.	Hopkins.
Cunningham.	

Absent—Excused.

Patton.	Woodward.
Rawlings.	

Senate Bill No. 447.

Senator Parr moved to take up S. B. No. 447.

Senator Pollard raised the point of order that a quorum was lacking. The roll call showed 24 present.

Senator Purl raised the point of

order that a quorum was lacking. the roll call showed 24 present.

Recess.

Senator Hornsby moved to recess until 10 o'clock tomorrow morning. The motion prevailed by the following vote:

Yeas—17.

Berkeley.	Martin.
Cousins.	Neal.
DeBerry.	Oneal.
Gainer.	Parrish.
Greer.	Poage.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	

Nays—7.

Moore.	Williamson.
Parr.	Woodruff.
Pollard.	Woodul.
Purl.	

Absent.

Beck.	Loy.
Cunningham.	Thomason.

Absent—Excused.

Patton.	Woodward.
Rawlings.	

At 5:55 o'clock p. m. the Senate recessed.

APPENDIX.

Petitions and Memorials.

Hon. Edgar E. Witt, President of the Senate.
Austin, Texas.

The families of Mr. James Young, Mrs. H. T. Nash gratefully acknowledge your kind thought and expression of sympathy.

UNIVERSITY OF NOTRE DAME.

Notre Dame, Indiana.
Office of the President.

April 7, 1931.

Texas Senate,
Forty-Second Legislature,
Mr. Bob Barker,
Austin, Texas.

Dear Sirs:

The University of Notre Dame is profoundly grateful to the Texas Senate, particularly to Honorable W.

A. Williamson, for their action in passing resolutions of sympathy and condolence upon the death of Mr. Knute Rockne. The tributes of admiration and respect paid to our beloved dead have done much to comfort both the University and the bereaved family.

I am,

Sincerely yours,

CHARLES L. O'DONNELL, CSC.,
President.

PODER EJECUTIVO FEDERAL
ESTADOS-UNIDOS-MEXICAN
MEXICO.

Secretaria
de

Relaciones Exteriores.

Dependencia Departamento Consular
Seccion de Personal Consular
Mesa de Correspondencia.
Numero del Oficio 9025.
Expediente IV/PC/131.

ASUNTO: Se agradece las muestras de condolencia del muy H. Senado del Estado de Texas por la muerte del Cónsul General señor Enrique Santibáñez.

México, D. F., 30 de marzo de 1931.

Honorable Bob Barker,
Secretario del Senado del Estado de Texas,

Austin, Texas. E. U. A.

El ciudadano Presidente de la República recibió la atenta comunicación de usted número 2149, fecha 13 del actual, a la que se adjunta copia de la resolución número 75 votada el día 11 del propio mes, expresando los sentimientos de condolencia de ese Honorable Cuerpo con motivo del fallecimiento del Sr. Enrique Santibáñez, Cónsul General de México en San Antonio, Texas.

Por encargo del propio primer Magistrado me permito rogarle se sirva transmitir al Senado de que es usted digno Secretario, el agradecimiento del Gobierno de México por sus muestras de simpatía y por las expresiones de condolencia que ha tenido a bien enviarle.

Aprovecho la oportunidad para hacer a usted presentes las seguridades de mi atenta y distinguida consideración.

EL SECRETARIO.

LLG/ema.

FEDERAL EXECUTIVE POWER
UNITED MEXICAN STATES
MEXICO.

Office of Secretary
of
Foreign Relations.

SUBJECT: Appreciates evidence of condolence of Hon. Senate of State of Texas on the death of the Consul General, Señor Enrique Santibañez.

Mexico, D. F., March 30, 1931.
Honorable Bob Barker,
Secretary of the Senate of the State of Texas,
Austin, Texas, U. S. A.

The Citizen President of the Republic received your kind communication No. 2149, dated the 13th inst., to which is attached a copy of Resolution No. 75 passed on the 11th day of said month, expressing sentiments of condolence of that Honorable Body upon the death of Sr. Enrique Santibañez, Consul General of Mexico in San Antonio, Texas.

By request of the said first Magistrate, I beg you to be pleased to transmit to the Senate of which you are a worthy Secretary the gratitude of the Mexican Government for its evidences of sympathy and for the expressions of condolence which it has seen fit to send him.

I take advantage of the opportunity to express to you assurances of my attentive and high esteem.

THE SECRETARY,

LLG/ema

Palestine, Texas, April 8, 1931.
Senator Julian P. Greer,
Austin, Texas,
Dear Senator:

To a number who have asked us to send petitions to you and Mrs. Strong urging your active support of measures designed to protect the school apportionment, I have said that you are both too loyal to the cause of education to need aid or encouragement from your constituents. You know what it will mean to cut funds now—schools terms will be shortened and teachers salaries reduced. In the end, the welfare of children will be sacrificed more or less. Some things can wait, but the education of a child cannot be delayed without harm.

Certainly teachers have never been overpaid. It has been difficult for them to maintain that standard of living that would enable them to take a proper place in community life. Just yesterday I was to aid a faithful teacher who taught for more than thirty years. She lived frugally, but finally her services were impaired by old age and she was dismissed. Her savings have been exhausted, and she has no one to care for her. She is now in dire want, and her former pupils are asking for donations to buy food and clothing for her.

Teachers were never advanced in line with raises given in other occupations, and most of the increases have been secured by their meeting higher standards of preparation by attending teachers colleges at great cost of time and money. In many places they will, of course, be the ones to bear the brunt of decreased appropriations; in other localities, school boards with a sense of fairness and justice to their faithful servants will simply retrench in facilities provided for children, or else will shorten the school terms.

You are doubtless hearing much about fads and frills in the public schools. Texas schools, almost as a whole, are not guilty. Some of those who talk about "fads and frills" have just caught up an epithet and reveal a pathetic ignorance of their own schools.

We also hear much about an over-supply of school teachers, but we do not have an excess of well trained teachers. With conditions as they are now, a capable young man would be foolish to start out with a view to qualify himself to be a classroom teacher. Many administrative positions pay fairly well, but the profession needs more able young men to instruct the youth in our schools. Most of the young women who start out to teach have very little idea of making the work a life business. The pay is small and the demands are too exacting.

Our schools have been going forward quite satisfactorily in many ways, but irreparable injury will be done if retrenchments are made now. Texas will never have an efficient system of education, nor will it take its rightful place in the economic structure of our Nation,

on the present income for our schools.

Cordially yours,
BONNER FRIZZELL,
Superintendent.

BF/ER

Kemp, Texas, April 11, 1931
Senator Julian P. Greer,
Austin, Texas.

Dear Sir and Friend:

I should like to register to you and others concerned, my opposition to S. B. No. 576.

We have long since recognized the fact that at the age of six most children are able to comprehend very well the courses provided for the beginners in the public schools of Texas. It took quite a long time to get provisions made for these little fellows. Now because of the necessity of making some changes to accomodate these children, some are ready to take a step backward and kick them out, thus depriving them of many opportunities.

The fact that a great deal of expense was incurred in permitting them to enter school, and the fact that this expense has in most cases been cared for already, is a great argument in favor of permitting the law to operate just as it is as present.

There are many reasons in favor of the present law but I know you are familiar with these and I shall not take your valuable time for their discussion and shall simply say that I am for the present law and hope you and others may see your way clear to vote against the repeal of same.

Too, I should like to say that I am for the Teacher Retirement in some form and think that it should at least get under way soon.

I am for the provision to make possible the appointment of the county Superintendent, thus removing this office further from political influences.

I think a tax on Tobacco, a tax on cosmetics etc., is probably the most just way of raising the required funds to keep the apportionment up to the present amount and do not believe the tax on tobacco and cosmetics would occasion much trouble and certainly would come from a source that would be little felt by those who pay. I feel that

we cannot afford to allow the per capita apportionment to be lower than it is at present.

Yours truly,

W. C. WITT,
Supt. Kemp Public Schools.

Whereas, Director General Jesse H. Jones and the Texas Centennial Board has petitioned the Legislature to submit to the people an amendment to the Constitution which would give authority to the state government to contribute to the expenses of a centennial celebration, be it

Resolved, That this committee, representing the Brotherhood of Locomotive Firemen and Enginemen of the Southern Pacific Lines, Atlantic System in Texas, add its endorsement to this wise and patriotic movement, and that we instruct our secretary to forward copies of this resolution to the President of the Texas Senate and Speaker of the House of Representatives, and ask that it be published in the journals thereof.

D. L. Duke, Chairman Lodge 135, El Paso, Texas; T. R. Arrington, Chairman Lodge 546, Sanderson, Texas; Fred J. Ayhmer, Chairman Lodge 145, San Antonio, Texas; E. E. Hinds, Chairman Lodge 146, Houston, Texas; C. F. Strange, Chairman Lodge 506, H & T C Houston, Texas; T. Rion, Chairman Lodge 506 H E & W T, Houston Texas; L. Harper, Chairman Lodge 590, Beaumont, Texas; W. L. Bullock, Chairman Lodge 694, Jacksonville, Texas; A. B. Collins, Chairman Lodge 491, Austin, Texas; T. H. Callahan, Chairman Lodge 226, Ennis, Texas; A. E. Scruggs, Chairman Lodge 281, Yoakum, Texas; M. H. Kupfernagel, Chairman Lodge 562, Victoria, Texas.

A. B. COLLINS, Secretary.

Resolution.

April 6, 1931.

Whereas, the City and County of Dallas in cooperation with the State and Federal Government has expended in the past 22 months over \$20,000.00 in eradicating tuberculosis from Dallas County resulting in the inclusion of this County in the Modified Accredited Area, and

Whereas, since that time Tarrant County and Collin County have carried on this work to completion and Denton County is now engaged in

this enterprise and several other populous Counties of Texas have signified their desire to begin this work, and

Whereas, this most essential activity cannot be carried on with certainty on the present depleted state funds longer than May 1st unless sufficient additional funds are appropriated by the Texas Legislature to carry on until September 1st, and

Whereas, the Federal Government has indicated its intention to withdraw its cooperation from Texas after May 1st unless adequate funds are appropriated by the Texas Legislature,

Therefore Be It Resolved, that the Board of Health of the City of Dallas believe that the failure on the part of the Live Stock Sanitary Commission to request an emergency appropriation of the Legislature will result in seriously handicapping tuberculosis eradication work in Texas, and

Be It Further Resolved, that the Legislature be requested to appropriate the sum of \$10,000 for indemnifying dairymen for tuberculosis cattle for the period ending September 1st, 1931, and that the sum of \$20,000.00 be transferred from the \$91,000.00 requested by the Live Stock Sanitary Commission for tick eradication to the tuberculosis indemnifying fund for the biennium beginning September 1st, 1931, and

Be It Further Resolved, that a copy of this resolution be forwarded to the Dallas delegation in Austin; to the Press at Dallas and to all other interested parties including the Live Stock Sanitary Commission and the Dallas County Commissioners' Court.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, April 10, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 54, carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, April 13, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on En-

rolled Bills, have had S. C. R. No. 31 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, April 10, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 567 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 13, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 428 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 11, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 246 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, April 10, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 123 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, April 13, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 589, A bill to be entitled "An Act providing that the Legislature shall make appropriations for the compensation of the members of the Board of Water Engineers and fix such compensation, and repealing Article 7482 of the Revised Civil Statutes, 1925; amending Article 7485 of the Revised Civil Statutes so as to provide for the fixing of

the compensation of the Secretary of the said Board; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments, and be not printed.

BECK, Chairman.

Amendment No. 1.

Amend S. B. No. 589 by striking out Section 2 and substituting in lieu thereof the following:

"Sec. 2. The Legislature shall make appropriations for the compensation of the Adjutant General and Assistant Adjutant General, and their salaries shall be fixed by appropriation, and by statute otherwise. Article 7482 and that part of Article 6813 in conflict herewith are hereby repealed."

Amendment No. 2.

Amend the caption of S. B. No. 589 by adding before the words: "and declaring an emergency," the following:

"and providing for the fixing of the salaries of the Adjutant General and Assistant Adjutant General by appropriation, and repealing all parts of laws in conflict herewith,"

Committee Room,

Austin, Texas, April 13, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 245, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain educational institutions and other expenses of maintaining and conducting them as follows, to-wit: The Agricultural and Mechanical College of Texas; State Experimental Station; The North Texas Junior Agricultural College; John Tarleton Agricultural College; Prairie View State Normal and Industrial College; The University of Texas, including the Medical Branch at Galveston and the College of Mines and Metallurgy at El Paso; College of Industrial Arts; Texas Technological College; East Texas State Teachers College at Commerce; North Texas State Teachers College at Denton; Sam Houston State

Teachers College at Huntsville; Stephen F. Austin State Teachers College at Nacogdoches; the Texas College of Arts and Industries at Kingsville; Southwest Texas State Teachers College at San Marcos; Sul Ross State Teachers College at Alpine; West Texas State Teachers College at Canyon; Texas School for the Blind and Texas School for the Deaf; for the years beginning September 1, 1931, and ending August 31, 1933, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute bill for Senate Bill No. 245 do pass in lieu thereof and that the substitute bill be printed, and that the original bill be not printed.

BECK, Chairman.

FIFTY-EIGHTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas.
April 14, 1931.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Senate Bill No. 447.

The question recurred upon the motion to take up S. B. No. 447. The motion prevailed by the following vote:

Yeas—27.

Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Parr.	

Nay—1.

Pollard.